

HOUSE BILL 724  
By Curtiss

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 6, relative to plumbers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 62-6-102, is amended by deleting the word "and" at the end of subdivision (5), by deleting the period at the end of subdivision (6) and by substituting instead the punctuation and word "; and", and by adding a new subdivision thereto, as follows:

(7) "Limited licensed plumber" means any person or entity which performs any plumbing work that has a total cost of less than twenty-five thousand dollars (\$25,000) and who is required to be licensed under the provisions of this chapter.

SECTION 2. Tennessee Code Annotated, Section 62-6-103(a)(4), is amended by deleting the period at the end of the subdivision and by substituting instead the following:

and to limited licensed plumbers.

SECTION 3. Tennessee Code Annotated, Section 62-6-103(a), is amended by adding a new subdivision thereto, as follows:

(6) Notwithstanding the provisions of subdivision (a)(1), any single residence homeowner is exempt from the limited licensed plumber requirements of this chapter for purposes of performing plumbing work on such homeowner's own residence.

SECTION 4. Tennessee Code Annotated, Section 62-6-111(a)(1), is amended in the first sentence by deleting the language "limited licensed electrician" and by substituting instead the language "limited licensed electrician or limited licensed plumber".

SECTION 5. Tennessee Code Annotated, Section 62-6-111(d), is amended in the second sentence by deleting the language "limited licensed electrician" and by substituting instead the language "limited licensed electrician or a limited licensed plumber".

SECTION 6. Tennessee Code Annotated, Section 62-6-120(b), is amended in the first sentence by deleting the language "limited licensed electrician" and by substituting instead the language "limited licensed electrician or a limited licensed plumber".

SECTION 7. Tennessee Code Annotated, Section 62-6-111, is amended by adding a new subsection thereto, as follows:

(k)

(1) Notwithstanding any provision of law to the contrary, the board may issue a license as a limited licensed plumber to any individual without an examination as required by this chapter, except as provided in subdivision (k)(3), if such individual makes an application to the board in which the following information is provided:

(A) Evidence that all fees and taxes relative to the operation of such applicant's plumbing work have been paid to the appropriate agencies when such application is filed under this subsection; or

(B) A current license or certificate issued by any county or municipality of this state prior to September 1, 2003, that is evidence that such applicant had by examination by an official of such county or municipality demonstrated the

qualifications required to perform such plumbing contract work within its jurisdiction and was actively engaged in such business on September 1, 2003.

(2) An application for a license under the provisions of subdivision (k)(1)(A) or (B) shall be filed with the board by July 1, 2004. If a license issued to a limited licensed electrician pursuant to the provisions of subdivision (k)(1)(A) or (B) is not periodically renewed as provided by this chapter, then such limited licensed electrician shall be eligible for a license only after the satisfactory completion of the examination required by the board for initial applications.

(3) Any individual who is licensed as a limited licensed plumber under the provisions of subdivisions (k)(1)(A) and (B) shall be required to have satisfactorily completed the examination of the board to engage in business as a limited licensed plumber in any county or municipality that is within the provisions of subdivision (j)(1)(C).

(4) Any person who performs plumbing work and who is subject to licensure as a limited licensed plumber shall apply to the board for a license. To receive a license, the applicant shall pay a fee as set by the board for such license and shall pass an examination prescribed by the board. The board may administer such examination or may contract for the administration of such examination.

(5) Notwithstanding any provision of this part to the contrary, a license as a limited licensed plumber shall not be required in any municipality or county that issues licenses to persons who perform plumbing work in such municipality or county.

(6) Any limited licensed plumber requesting a plumbing inspection must first have a license from the board for licensing contractors as required by § 62-6-103.

(7) Any person with knowledge of faulty plumbing work performed by a limited licensed plumber shall report such plumber to the state board for licensing contractors which may initiate proceedings against the plumber for such faulty work.

(8) The board for licensing contractors may revoke or suspend the license of a limited licensed plumber for faulty plumbing work performed by such licensee.

(9) The provisions of the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, govern all matters and procedures respecting the hearing and judicial review of any contested case, as defined therein, arising under this section.

(10) The state fire marshal, or a designee of the state fire marshal, and the board for licensing contractors shall formulate a system for codes inspectors to report to the board any problems they may encounter with the workmanship of a limited licensed plumber.

SECTION 8. Tennessee Code Annotated, Section 62-6-130, is amended by designating the existing language as subsection (a) and by adding a new subsection thereto, as follows:

(b) Nothing in this chapter shall be construed to provide that a limited licensed plumber is a contractor. It is the intent of this chapter to provide that a limited licensed plumber is subject to the jurisdiction of the board solely for the purposes of licensure and disciplinary proceedings. No limited licensed plumber shall be authorized to use the appellation "contractor" or any other designation that gives or is designed to give the impression that a limited licensed plumber is a contractor unless the limited licensed plumber also holds a valid contractor's license issued by the board.

SECTION 9. Tennessee Code Annotated, Section 62-6-131, is amended by adding the following new subsections thereto:

(e) No person shall be required to post a bond, provide a financial statement or a letter of reference in order to obtain a license as a limited licensed plumber.

(f) All limited licensed plumber licenses shall expire biennially on the month of their issuance.

(g) The board shall prescribe fees for the issuance and renewal of licenses of

limited licensed plumbers. Such fees shall be in an amount that provides for the cost of administering the licensing and regulation of limited licensed plumbers. Fees shall be adjusted as necessary to provide that the licensing of limited licensed plumbers is fiscally self-sufficient and that revenues from fees do not exceed necessary and required expenditures.

SECTION 10. The board shall issue limited license plumber licenses beginning on September 1, 2003. No person subject to the provisions of this act shall be required to have a limited licensed plumber license until January 1, 2004.

SECTION 11. For the purpose of promulgating rules and regulations pursuant to Title 4, Chapter 5, this act shall take effect upon becoming a law, the public welfare requiring it. For the purpose of issuing licenses, this act shall take effect September 1, 2003, the public welfare requiring it. For all other purposes this act shall take effect January 1, 2004, the public welfare requiring it.